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To: Steven Wong

From: John Gilmour

Fax: 703-872-9306

Date: December 28, 2004

Phone: 571-272-4416

Pages: 3

Re: Signature Requirement

CC:

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☐ For Review

☐ Please Comment

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Comment:

Please find attached a copy of the May 19, 2004 reply which now includes my signature.

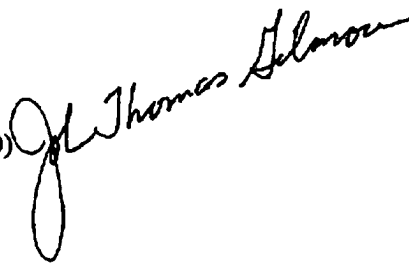
Thank you.

TO: Steven Wong, Examiner, USPTO

FROM: John Thomas Gilmour (Customer No. 038400)

RE: Art Unit 3711 (Application No. 10/605,386)

DATE: May 19, 2004



Thanks for returning my call this morning. As I stated on the telephone, this is our first submission, so please let us know if we are not following proper protocol.

Todd McClory Gilmour (inventor) and I consider the proposed art unique because:

1. Depth marks can be easily seen and differentiated by the golfer as the tee is inserted into the ground. Depth marks are few and simple and not a complicated combination of symbols, colored areas, indentations, or raised areas.
2. Additional items such as cylinders, collars or disks are not needed.
3. Proposed art can be applied to most commonly used golf tees economically using current technology.

We offer the following critiques of the prior art that was cited in the claim rejection.

Blosser (Patent No. 5,356,146, dated Oct. 18, 1994): The Blosser tee uses eleven stripes evenly spaced down the tee shaft whereas the proposed art uses three stripes with variable spacing. The proposed art is much more practical in that spacing can be optimized to fit various golf tee shaft heights and golf club face dimensions. In addition, visual location of the desired depth mark during the insertion process is much easier in the case of the proposed art as compared to the complicated Blosser tee.

Anderson (Patent No. 5,890,976, dated Apr. 6, 1999): The proposed art uses marks or symbols directly on the tee shaft not on a cylinder into which the tee is inserted as in the Anderson tee. The Anderson tee is inconvenient and difficult to use because: a) it slows play as the golfer must consistently insert the tee into the cylinder and, b) the added circumference on the golf tee shaft will make the tee more difficult to insert, especially in hard ground. The proposed art uses a tee in the conventional manner.

Cabot (Patent No. 3,114,557 dated Dec. 17, 1963) or Antonious (Patent No. 3,203,700 dated Aug. 31, 1965) or Kirikos (Patent No. 3,408,079 dated Oct. 29, 1968) or Strong (Patent No. 5,672,122 dated Sep. 30, 1997): Each employs a two part system, a tee with notches or protrusions and a collar or disk. The collar or disk is placed on the tee and used to limit insertion depth. This is an expensive and impractical way to control depth of insertion of the golf tee. The proposed art uses notches or protrusions on the tee without the collar or disk to determine depth of insertion, a much simpler and inexpensive approach.

We look forward to your reply.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20041216

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Response to Amendment

1. The proposed reply filed on May 19, 2004 has not been entered because it is unsigned. Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).
2. For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officflyer.pdf>.
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Wong whose telephone number is 571-272-4416. The examiner can normally be reached on Monday through Friday 7am-3:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBW
December 16, 2004

Steven Wong
Primary Examiner
Art Unit: 3711

PTO-90C (Rev.04-03)